

REMARKS

Claims 1 and 6-11 are pending in the present application. Claims 1, 4, 7, 8, 10 and 11 are objected to for minor informalities. Claims 1-11 are rejected under 35 U.S.C. §112, second paragraph. Claims 1-10 are rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 4,508,516 to D'Andrade et al. In view of U.S. Patent No. 5,195, 920 to Collier. Claim 11 is rejected under 35 U.S.C. §103(a) as obvious over D'Andrade et al. in view of Collier and further in view of Choi, U.S. Patent No. 6,083,104.

Objections to the Claims

The Examiner objects to claims 1, 4, 7, 8, 10 and 11 for minor informalities. The claims are amended to overcome the objections or cancelled. Accordingly, it is respectfully requested that all objections to the claims be withdrawn.

Rejections Under 35 U.S.C. §112, Second Paragraph

The Examiner rejects claims 1-11 under 35 U.S.C. §112, second paragraph as indefinite. Claims specifically rejected and pending are amended to overcome these rejections. Accordingly, it is respectfully requested that all rejections under 35 U.S.C. §112, second paragraph be withdrawn.

Rejections Under 35 U.S.C. §103(a)

The Examiner rejects claims 1-11 under 35 U.S.C. §103(a). The independent claim is rejected as being obvious over D'Andrade et al. in view of Collier. The Manual for Patent Examining Procedure (MPEP) §2143 sets forth the standard for rejecting a claim as obvious, as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In the Office Action, the Examiner has failed to establish a *prima facie* case of obviousness. First, the Examiner has failed to teach provide motivation or suggestion to combine the two references. Rather, it appears the Examiner relied on the present application to arrive at motivation to combine the references. In the event the Examiner maintains this rejection of the claims, he is respectfully requested to provide a teaching to combine the references.

In addition, the Examiner has failed to demonstrate a reasonable expectation of success that the claimed combination of references would arrive at an operative

embodiment of the present invention. The Examiner has failed to provide any indication that there would be any cooperation between the teachings of the cited references to arrive at an operative embodiment. In the event the Examiner maintains his rejection of the claims, he is respectfully requested to provide a teaching demonstrating a reasonable expectation of success of arriving at the claimed invention.

Furthermore, the Examiner failed to teach or suggest all of the claimed limitations. Independent claim1 recites, in part:

a setting device accepting a setting operation of a predetermined parameter defined as an item to give an influence on an ease of turning said moving body by a user; and

a storing device for storing plural kinds of data pieces for specifying a relationship between said operation amount of said throttle portion and said velocity ratio when said operation amount of said throttle portion and said velocity ratio when said operation amount of said steering portion is a predetermined reference value, so as to be associated with each of the setting values of said parameter, wherein:

a data piece for specifying a relationship between said operation amount of said throttle portion and said velocity ratio generated when said operation amount of said steering portion is a predetermined reference value is constituted such that said velocity ratio corresponding to said reference value becomes larger as said operation amount of said throttle portion is increased, and

said driving control device selects a data piece corresponding to a setting value of said parameter among said plural kinds of data pieces, which are stored in said storing device, and with reference to a relationship between said reference value and said velocity ratio, which is specified by the selected data piece, changes a correspondence relationship between said operation amount of said steering portion and said velocity ratio such that said pair of driving sources are driven at a velocity ratio corresponding

to said reference value when said operation amount of said steering portion reaches said reference value, and said velocity ratio becomes smaller as said operation amount of said steering portion is increased.

These limitations are not taught by the cited art. With the above features, a predetermined parameter is defined as an item to give an influence on the ease of turning of the moving body set by a user. The correspondence between the operation amount of the steering portion and the velocity ratio changes in an interlocking manner with the change of the setting value. Thus, the user can adjust the ease of turning upon operation of the steering portion according to his or her preference.

The operation amount of the throttle portion is considered with respect to the change of the velocity ratio upon changing the operation amount of the steering portion. Additionally, the operation amount of the throttle portion is related to the velocity of the moving body, so that the correspondence relationship between the operation amount of the steering portion and the velocity ratio is changed in response to the velocity of the moving body. Accordingly, a property can be realized such that, if the velocity of the moving body is high, the velocity ratio is kept relatively high so as to prevent a rapid behavior. If the velocity of the moving body is low, the velocity ratio is changed to be comparatively smaller so as to improve the ease of turning the moving body.

Moreover, as the operation amount of the steering portion is increased, the velocity ratio is decreased, thereby the turning force becomes larger. Such a relationship corresponds to the correspondence relationship between the operation amount of the steering and the turning force of an actual automobile or the like. The user can be easily accustomed to the operation.

The cited art, D'Andrade et al. discloses a remote control toy vehicle having each motor corresponding to each of the right and left wheels which can move in a right-hand or left-hand curve. The wheels on one side move at a slower speed than the wheels of the other side by controlling the current flow into each of the motors with a steering switch 70 (Fig. 5, Fig. 13, col. 6, lines 40-62). D'Andrade fails to teach or suggest the parameter to change the correspondence relationship between the operation amount of the steering switch 70 and the velocity ratio of the right and left wheels, that is the difference in the amount of current.

Collier discloses a radio controlled toy vehicle having the program to output a real sound in accordance with the user's operation (col. 5, lines 27-36). With respect to the cornering of the toy vehicle, Collier merely discloses that when the toy vehicle turns either left or right, the appropriate squealing of tires sound is output through the speaker (col. 6, lines 33-47). Collier fails to disclose and teach the corresponding relationship itself between the operation amount of the steering

portion and the velocity ratio of the pair of wheels, as well as the parameter to change the corresponding relationship.

The cited art fails to arrive at the claimed invention. For instance, D'Andrade fails to teach the parameter to change the corresponding relationship between the operation amount of the steering portion and the velocity ratio of the wheels. Collier fails to teach the relationship between the amount of the steering portion and the velocity ratio of the wheels. The features and the discussed advantage of the present invention are not taught or suggested by the cited art.

Accordingly, as the cited art fails to teach or suggest the claimed invention, it is respectfully requested that all rejections under 35 U.S.C. §103(a) be withdrawn.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

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